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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Leandro Christmann

Confirmation No. 2824

Application No.: 09/919,143

Group Art Unit: 1632

Filed: July 31, 2001

Examiner: Michael C. Wilson

For: MICROINJECTION ASSEMBLY AND  
METHODS FOR MICROINJECTING  
AND REIMPLANTING AVIAN EGGS

Attorney Docket No.: 11106-009

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**PROVISIONAL ELECTION UNDER 37 C.F.R. §1.143**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated October 7, 2002, please consider the following remarks. Applicant submits concurrently herewith a Petition for Extension of Time for a period of two (2) months from November 7, 2002 up to and including January 7, 2003, along with the authorization to charge the required extension fee.

**RESTRICTION REQUIREMENT**

The Examiner has required a restriction under 35 U.S.C. § 121 to one of the following inventions:

- |          |  |
|----------|--|
| Group I  | Claims 1-8, 10, 12 and 14-17, drawn to a microinjection assembly for delivery of exogenous nucleic acid to an avian embryo, and a method for delivery exogenous nucleic acid to an avian embryo using said microinjection assembly |
| Group II | Claims 9, 11, 13 and 18, drawn to making transgenic avians or cloning avians   |

In response, Applicant hereby elects the invention of Group II, Claims 9, 11, 13 and 18, drawn to making transgenic avians or cloning avians, classified in class 119, subclass 6.8.

**CONCLUSION**

Applicant respectfully requests that the foregoing remarks be entered and made of record in the file history of the application.

Respectfully submitted,

Date: January 7, 2003

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Enclosure